REMARKS

In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested. Pursuant to 37 CFR § 1.121, attached as Appendix A is a Version With Markings to Show Changes Made.

The rejection of claim 34 under 35 U.S.C. § 101 for double patenting is respectfully traversed in view of the above amendments.

The rejection of claims 55 and 56 under 35 U.S.C. § 112 (2nd para.) for indefiniteness is respectfully traversed in view of the above amendments.

The rejection of claims 1-10 and 55-70 under the judicially-created doctrine of obviousness-type double patenting as unpatentable over claims 1-28 of U.S. Patent No. 6,027,889 is respectfully traversed in view of applicant's submission of the enclosed terminal disclaimer.

In view of all of the foregoing, applicants submit that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

Date: April 1, 2003

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Appendix A
Version With Markings to Show Changes Made
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In reference to the amendments made herein to claim 55, additions appear as underlined text, while deletions appear as bracketed text, as indicated below:

<u>In The Claims:</u>

55.   (Amended) A method according to claim 10, wherein the ligation product sequence of the oligonucleotide probes in each particular set generates an extension product of unique length, said method further comprising:

separating the extension products by size or electrophoretic mobility, wherein said [distinguishing] <u>detecting</u> differentiates the extension products which differ in size.